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Sixty-third year

Identical letters dated 30 April 2008 from the Permanent Representative of Mongolia to the United Nations addressed to the President of the General Assembly and the President of the Security Council

I have the honour to forward herewith the memorandum of the Government of Mongolia on promoting Mongolia's international security and nuclear-weapon-free status (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 91 (h) of the preliminary list, and of the Security Council.

(*Signed*) Enkhtsetseg **Ochir**
Ambassador
Permanent Representative

* A/63/50.

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Annex to the identical letters dated 30 April 2008 from the Permanent Representative of Mongolia to the United Nations addressed to the President of the General Assembly and the President of the Security Council

Memorandum of the Government of Mongolia on promoting the country's international security and nuclear-weapon-free status

Introduction

This memorandum is being presented to the General Assembly and Security Council of the United Nations as a follow-up on its earlier memorandum submitted on 7 September 1999.[1] The first eight years of this century has underlined the importance of addressing nuclear issues at all levels so as to strengthen international security by preventing the spread of nuclear weapons, know-how or nuclear material that can be used to make nuclear weapons and promoting economic development and social advancement of peoples.

Though the process of nuclear disarmament has somehow slowed down in the past few years, the call for and efforts to prevent the spread of nuclear weapons, reduce reliance on them as well as search for political and legal means of moving towards nuclear-weapon-free world are mounting. Even those that in the past have been closely involved in nuclear policies are now calling for taking practical nuclear disarmament measures. Mongolia has consistently been supporting every effort to promote non-proliferation and nuclear disarmament, as it is evident, for example, from its position on these issues in the General Assembly of the United Nations.[2] Mongolia believes that nuclear-weapon States should take effective practical steps towards nuclear disarmament, as agreed upon in the 13 steps adopted in 2000 at the Non-Proliferation Treaty Review Conference.

Increasing role of non-nuclear-weapon States

Mongolia also believes that non-nuclear-weapon States also need to take concrete measures promoting non-proliferation and nuclear disarmament. One such effective practical measure is establishment of nuclear-weapon-free zones.

At present such zones cover more than 50 per cent of the Earth's landmass and unite almost two thirds of the international community. These zones include Latin America and the Caribbean, the South Pacific, the entire African continent, South-East Asia and, recently, Central Asia. Like other members of the international community Mongolia fully supports these zones and welcomes establishment of new zones, especially in such regions as North-East Asia, the Middle East, Central and Northern Europe, etc. It expresses the hope that the Non-Proliferation Treaty Review Conference, to be held in 2010, would lead to concrete practical measures of nuclear disarmament on the part of the nuclear-weapon States and creation of additional nuclear-weapon-free zones, especially in the regions as the Middle East and North-East Asia.

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[1] See A/54/323-S/1999/951 of 7 September 1999.

[2] Thus Mongolia fully supported General Assembly resolution 62/42 of 5 December 2007, entitled "Nuclear disarmament".

Mongolia's policy and initiative

As mentioned in its 1999 memorandum, Mongolia not only strongly supports the establishment of nuclear-weapon-free zones in various parts of the world, but, given its unique geographical location and historical experience, strives to make its practical contribution, however modest, to this noble cause. For that reason as well as to contribute to regional peace and security, in 1992 Mongolia declared its territory a nuclear-weapon-free zone and since has been working to have that status internationally recognized and guaranteed.

Since 1998 the United Nations General Assembly has kept the issue of "Mongolia's international security and nuclear-weapon-free status" on its agenda, considering it every second year and adopting appropriate resolutions thereon. Since 1999 important practical national and international measures have been taken to promote Mongolia's status and institutionalize it both nationally and internationally.

At the national level, in February 2000 the State Great Hural (parliament) of Mongolia adopted a national law[3] defining Mongolia's nuclear-weapon-free status at the national level, which addresses such issues as prohibitions resulting from the nuclear-weapon-free status, including stationing on or transit through Mongolian territory of nuclear weapons or parts thereof, prohibition of dumping or disposing nuclear-weapons grade radioactive material or nuclear waste, peaceful uses of nuclear energy and technology, national and international verification and liability for violation of the legislation. Bearing in mind the importance of the legislation for the security and well-being of the Mongolian people, the law encourages non-governmental organizations and individuals, within the mandate provided by the legislation, to exercise public oversight of the implementation of the law and submit proposals thereon to the relevant State authority. The parliament also adopted a special resolution on measures to be taken in connection with the adoption of the law that instructed the Government to actively cooperate with the neighbouring and other relevant States, IAEA and other international organizations in implementing the law and the United Nations General Assembly resolution mentioned above.

In compliance with the law, the first monitoring has been undertaken in 2006 on the implementation of the legislation by an ad hoc inter-agency group and a representative of a Mongolian non-governmental organization which reported its findings to the Government and parliament. On its part the Mongolian Government informed the Secretary-General on the monitoring and its findings.[4]

At the regional level, both of Mongolia's immediate neighbours — the Russian Federation and the People's Republic of China — supported from the outset Mongolia's initiative, which has found reflection in the treaties of friendly relations and cooperation that they concluded with Mongolia in 1993 and 1994 respectively. Thus in article 4 of the Mongolian-Russian treaty, Russia committed to "respect Mongolia's policy of not admitting the deployment on and transit through its territory of foreign troops, nuclear and other weapons of mass destruction".[5] On its part, China expressed its "respect for Mongolia's policy aimed at not admitting the

[3] See A/55/56-S/2000/160 of 29 February 2000.
[4] See A/61/283 of 18 December 2006.
[5] See A/CN.10/195 of 22 April 1997.

deployment on and transit through its territory of foreign troops, nuclear and other weapons of mass destruction".[6]

In October 1999 the Russian representative to the United Nations Sergey V. Lavrov on behalf of his Government expressed its readiness "to consider, together with other countries, the issue of providing corresponding security assurances to Mongolia".[7]

In October 2000 the five nuclear-weapon States made a joint statement[8] providing security assurances to Mongolia in connection with its nuclear-weapon-free status. The Government of Mongolia welcomed the joint statement considering it as "an important step towards institutionalizing" the status at the international level.[9]

Bearing in mind that Mongolia's nuclear-weapon-free zone status had not yet been clearly defined internationally, in September 2001 the representatives of Mongolia, the five nuclear-weapon States and of the United Nations met in Sapporo, Japan to consider the ways and means of strengthening Mongolia's status[10] and recommended to Mongolia either to conclude a trilateral treaty with its immediate neighbours legally defining its nuclear-weapon-free status or to conclude a more ambitious treaty with all five nuclear-weapon States. Following up on the Sapporo recommendations, in January 2002 the Mongolian side presented to its immediate neighbours the basic elements of the possible trilateral treaty on Mongolia's status. The elements were based on the existing international practice in establishing nuclear-weapon-free zones; it also reflected the specifics of Mongolia as a State that does not border on any other non-nuclear-weapon State.

Russia and China in principle positively responded to the proposal to conclude a trilateral treaty and offered their concrete suggestions as to what could be reflected therein. In April 2004 China declared that it had "responded positively to the Mongolian proposal on concluding a treaty among China, Mongolia and Russia"[11]

Bearing in mind international practice in establishing nuclear-weapon-free zones as well as the views of the immediate neighbours, the Mongolian side prepared a draft treaty and in September 2007 presented it to Russia and China for their careful consideration and expressed the hope that negotiations could be commenced in the near future. To address the delicate technical issues connected with verification of the commitments to be taken by the trilateral treaty, it is prepared to work with its neighbours, other interested States as well as with IAEA.

At the international level, Mongolia's initiative has found broad support within the international community as reflected in many international and bilateral documents.[12] Wide recognition of Mongolia's nuclear-weapon-free status has been reflected in the fact that Conference of States Parties and Signatories to Treaties that

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[6] Ibid., page 4.

[7] See A/C.1/54/PV.5 of 13 October 1999.

[8] See A/55/530-S/2000/1052 of 31 October 2000.

[9] See A/55/491-S/2000/994 of 17 October 2000.

[10] See A/57/59 of 20 March 2002.

[11] See documents of the third session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (New York, 2004).

[12] Some of the endorsements can be found in Mongolia's report to the Secretary-General of the United Nations on implementation of the law. See A/61/293 of 23 August 2006.

Establish Nuclear-Weapon-Free Zones, held in Tlatelolco, Mexico City, from 26 to 28 April 2005 included Mongolia as one of its participants, while its final declaration expressed recognition and support of the status.[13] In implementation of the decisions of the Mexico conference, Mongolia has established formal relations with the treaty agencies of nuclear-weapon-free zones that includes exchange of information and consultations, as needed, on common policy issues and on matters of mutual interest, including on issues of expanding and strengthening the network of nuclear-weapon-free zones.

Mongolia's initiative also enjoys growing support among national and international NGOs. Thus in 2007 the North-East Asian regional meeting of the Global Partnership for the Prevention of Armed Conflict, addressing the issues of the second generation of nuclear-weapon-free zones, underlined that institutionalization of Mongolia's single-State nuclear-weapon-free zone "would be an important measure of preventive diplomacy and would enhance predictability in the region and support Mongolia's policy of neutrality. It would also eliminate a possible blind spot in the emerging network of nuclear-weapon-free zones". Equally such support was expressed in 2007 by the North Asia regional meeting of International Physicians for the Prevention of Nuclear War.

Addressing the non-nuclear aspects of Mongolia's security, in 2004 UNDP and the Department of Economic and Social Affairs of the United Nations Secretariat undertook a general study on Mongolia's economic vulnerability and ecological security and presented their findings and recommendations to the Government of Mongolia.

Looking ahead

The above facts vividly demonstrate that Mongolia's nuclear-weapon-free status is enjoying a wide recognition and a growing support within the international community. The Mongolian Government shall continue its efforts to conclude a trilateral treaty with its two immediate neighbours defining its international status while at the same time broadening its relations and cooperation with other nuclear-weapon-free zones. As part of the expanding network of nuclear-weapon-free zones, it will take an active part in the preparations for and the work of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. It believes that the network of nuclear-weapon-free zones can play an important role not only at the Conference itself but well beyond it.

At the regional level, Mongolia supports establishment of a nuclear-weapon-free zone in North-East Asia and believes that the six-party talks on the nuclear weapon programme of the Democratic People's Republic of Korea can serve as an appropriate forum that can address the issues of promoting the establishment of such a zone. Though not a direct party to the six-party talks, Mongolia has expressed its readiness to promote successful talks. To that end it hosted in 2007 the bilateral talks between the representatives of the Democratic People's Republic of Korea and Japan to address bilateral issues that are affecting the talks. The Government of Mongolia has also expressed its readiness if needed, to host the working group 5 that deals with issues of the North-East Asia peace and security mechanism.

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[13] See para. 16 of the Declaration of the Conference (A/60/121 of 14 July 2005).